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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA

9 IN RE BARD IVC FILTERS PRODUCTS
10 LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

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12 **SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

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14 Plaintiff(s) named below, for their Complaint against Defendants named below,
15 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).
16 Plaintiff(s) further show the Court as follows:

17 1. Plaintiff/Deceased Party:

18 Laura Power Laura Powers

19 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
20 consortium claim:

21 N/A

22 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
23 conservator):

24 N/A

25 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
26 at the time of implant:

27 Kansas

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5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Kansas

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Kansas

7. District Court and Division in which venue would be proper absent direct filing:

Kansas District Court, Kansas City

8. Defendants (check Defendants against whom Complaint is made):

C. R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other: MDL 2641 Centralization

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

Recovery® Vena Cava Filter

G2® Vena Cava Filter

□ G2® Express Vena Cava Filter

□ G2® X Vena Cava Filter

Eclipse® Vena Cava Filter

□ Meridian® Vena Cava Filter

1 Denali® Vena Cava Filter

2 Other: _____

3 11. Date of Implantation as to each product:

4 04/27/2006

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6 12. Counts in the Master Complaint brought by Plaintiff(s):

7 Count I: Strict Products Liability – Manufacturing Defect

8 Count II: Strict Products Liability – Information Defect (Failure
9 to Warn)

10 Count III: Strict Products Liability – Design Defect

11 Count IV: Negligence - Design

12 Count V: Negligence - Manufacture

13 Count VI: Negligence – Failure to Recall/Retrofit

14 Count VII: Negligence – Failure to Warn

15 Count VIII: Negligent Misrepresentation

16 Count IX: Negligence *Per Se*

17 Count X: Breach of Express Warranty

18 Count XI: Breach of Implied Warranty

19 Count XII: Fraudulent Misrepresentation

20 Count XIII: Fraudulent Concealment

21 Count XIV: Violations of Applicable _____ Kansas (insert
22 state) Law Prohibiting Consumer Fraud and Unfair and
23 Deceptive Trade Practices

24 Count XV: Loss of Consortium

25 Count XVI: Wrongful Death

26 Count XVII: Survival

27 Punitive Damages

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Other(s): All claims for Relief set forth in the Master Complaint for an amount to be determined by the trier of fact including for the following: (please state the facts supporting this Count in the space immediately below):

Plaintiff suffers from IVC filter perforation.

13. Jury Trial demanded for all issues so triable?

Yes

□ No

RESPECTFULLY SUBMITTED this 1st day of November, 2018.

JOHNSON LAW GROUP

By: /s/ *Clint Reed*

TX Bar No. 24084674
2925 Richmond Ave.,
Suite 1700
Houston, Texas 77098
Tel: 713-626-9336
Fax: 713-626-3394

I hereby certify that on this 1st day of November, 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ *Clint Reed*